

REMARKS**A. Response to Sequence Requirements**

In response to the "Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures" (referred to herein as "the Notice") mailed July 26, 2005, enclosed is an initial computer-readable form (CRF) of the sequence listing, a paper copy of said sequence listing and an amendment directing its entry into the application. Also enclosed is a sequence statement pursuant to 37 C.F.R. §§ 1.821(f). Applicants submit that no new matter has been added via the submission of the Sequence Listing or amendment.

B. Response to Request for Additional Fees

In the Notice there was a notation that additional claim fees in the amount of \$1200 as non-small entity fees were required to be furnished. Applicants respectfully disagree and request clarification of this request in view of the following information.

When the application was filed, Applicants requested that a total fee amount of \$3960 be charged to Deposit Account No. 13-2855 (see fee calculation page attached as Appendix A). The aforementioned fees were calculated on a non-small entity status basis. Subsequent to the filing of the Application, Applicants notified the Office that the above-referenced application is entitled to small entity status (see statement attached as Appendix B). The total number of claims filed were as follows:

Independent Claims: 1, 4, 34, 35, 36: i.e., total **5 independent claims**

Singly Dependent Claims: 2, 3, 29: i.e., total of **3 dependent claims**

Multiply Dependent Claims: 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, each depending from two claims, therefore, equaling a total of **52 dependent claims**

Singly Dependent Claims depending from multiply dependent claim: 14, 15, equaling a total of **4 claims**

Therefore, in total in the present application there are a total of:

$$5 + 3 + 52 + 4 = 64 \text{ claims}$$

Therefore, the fee calculation for the above claims is as follows:

Total Claims: 64

Number Extra: $64 - 20 = 44 \times \$25$ small entity extra claim fee = \$1100

Extra Independent claims: $5 - 3 = 2 \times \$100$ small entity extra claim fee = \$200

MULTIPLE Dependent Claim fee = \$180

TOTAL EXTRA CLAIM FEE: \$1480.

As noted in the application papers the Commissioner was authorized to charge a fee of \$3960 to Deposit Account No. 13-2855, which included an additional claim fee of \$2960 (large entity). A fee of \$2810 was deducted from Deposit Account No. 13-2855 on January 6, 2005. As such, Applicants believe that the claim fees have already been tendered and therefore the requirement to furnish additional fees in the Notice was in error.

Moreover, Applicants respectfully request a refund of \$830, which is the difference between the large entity fee that was deducted on January 6, 2005, and the small entity fee that the applicants should have paid seeing as the instant application is entitled to small entity status.

Applicants respectfully request that the Office contact the undersigned in the event that there are an questions regarding this submission.

Dated: August 10, 2005

Respectfully submitted,

By 

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